



# Louisville Metro Government

601 W. Jefferson Street  
Louisville, KY 40202

## Action Summary - Final Planning, Zoning and Annexation Committee

*Chair Person Madonna Flood (D-24)*  
*Vice Chair Glen Stuckel (R-17)*  
*Committee Member Bill Hollander (D-9)*  
*Committee Member Pat Mulvihill (D-10)*  
*Committee Member Scott Reed (R-16)*  
*Committee Member Vitalis Lanshima (D-21)*  
*Committee Member Robin Engel (R-22)*

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Tuesday, July 31, 2018

1:30 PM

Council Chambers

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### Call to Order

Chair Person Flood called the meeting to order at 1:33 p.m.

### Roll Call

Chair Person Flood introduced the committee members and non-committee members present. A quorum was established.

Committee Member Mulvihill arrived at 1:36 p.m.

**Present:** 6 - Chair Person Madonna Flood (D-24), Vice Chair Glen Stuckel (R-17), Committee Member Bill Hollander (D-9), Committee Member Pat Mulvihill (D-10), Committee Member Scott Reed (R-16), and Committee Member Robin Engel (R-22)

**Excused:** 1 - Committee Member Vitalis Lanshima (D-21)

### Non-Committee Member(s)

Council Member Barbara Shanklin (D-2) and Council Member Barbara Sexton Smith (D-4)

### Support Staff

Paul Whitty, Jefferson County Attorney's Office  
John Carroll, Jefferson County Attorney's Office

### Clerk(s)

David B. Wagner, CKMC

## Pending Legislation

1. [O-214-18](#)

**AN ORDINANCE CLOSING A PORTION OF LIPPS LANE ON THE WEST SIDE OF JEFFERSON BOULEVARD NORTH OF BATES AVENUE AND BEING IN LOUISVILLE METRO (CASE NO. 17STREETS1002).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [17STREETS1002.pdf](#)

[O-214-18 V.1 072618 Partial Closings of Lipps Ln](#)

[17STREETS1002.pdf](#)

[O-214-18 V.1 072618 ATTACH Street Closure Plat](#)

[17STREETS1002.pdf](#)

[17STREETS1002 legal desc.pdf](#)

[17STREETS1002\\_Minutes.pdf](#)

[17STREETS1002 Plat 06.21.18.pdf](#)

[17STREETS1002\\_staff rpts.pdf](#)

A motion was made by Committee Member Engel, seconded by Committee Member Reed, that this Ordinance be recommended for approval.

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation.

The motion carried by the following vote and the Ordinance was sent to the Consent Calendar:

**Yes:** 6 - Flood, Stuckel, Hollander, Mulvihill, Reed, and Engel

**Excused:** 1 - Lanshima

2. [O-216-18](#)

**AN ORDINANCE CLOSING PORTIONS OF OLD 18TH STREET AND OLD DIXIE HIGHWAY AND BEING IN LOUISVILLE METRO (CASE NO. 17STREETS1027).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [17STREETS1027.pdf](#)

[O-216-18 V.1 072618 Partial Closings of Old 18th St and Old Dixie Hwy 17STREETS1027.pdf](#)

[O-216-18 V.1 072618 ATTACH Street Closure Plats 17STREETS1027.pdf](#)

[17STREETS1027 Minutes.pdf](#)

[17STREETS1027 Old 18th St plat and legal desc.pdf](#)

[17STREETS1027 Old Dixie plat and legal desc.pdf](#)

[17STREETS1027 staff rpts.pdf](#)

**A motion was made by Vice Chair Stuckel, seconded by Committee Member Reed, that this Ordinance be recommended for approval.**

**Brian Davis, Planning and Design Services, spoke to the item and gave a presentation.**

**The motion carried by the following vote and the Ordinance was sent to the Consent Calendar:**

**Yes:** 6 - Flood, Stuckel, Hollander, Mulvihill, Reed, and Engel

**Excused:** 1 - Lanshima

3. [O-198-18](#)

**AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 4501 AND 4505 PROGRESS BOULEVARD CONTAINING 12.16 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1046) (AS AMENDED).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-198-18 V.2 CAM 073118 Rezoning from R4 to C2 at 4501-4505 Progress Blvd 17ZONE1046.pdf](#)  
[O-198-18 - PROPOSED Zoning at 4501 and 4505 Progress Blvd. \(as amended 7-31-18\).pdf](#)  
[17ZONE1046.pdf](#)  
[O-198-18 V.1 062618 Rezoning from R4 to C2 at 4501-4505 Progress Blvd 17ZONE1046.pdf](#)  
[17ZONE1046 Applicant Booklets.pdf](#)  
[17ZONE1046 Justification Statement.pdf](#)  
[17ZONE1046 Legal Description.pdf](#)  
[17ZONE1046 Other Minutes.pdf](#)  
[17ZONE1046 PC Minutes.pdf](#)  
[17ZONE1046 Public Materials.pdf](#)  
[17ZONE1046 Staff Reports.pdf](#)  
[17ZONE1046 Plan.pdf](#)

A motion was made by Vice Chair Stuckel, seconded by Committee Member Reed, that this Ordinance be recommended for approval.

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Council Member Shanklin also spoke to the item.

A motion was made by Chair Person Flood, seconded by Vice Chair Stuckel, that this Ordinance be amended as shown in the attached document titled 'O-198-18 - PROPOSED Zoning at 4501 and 4505 Progress Blvd. (as amended 7-31-18).pdf'. The motion to amend carried by a voice vote.

The motion to recommend for approval carried by the following vote and the amended Ordinance was sent to Old Business:

District 2 Council Member Shanklin had a vote on this zoning case and voted YES.

**Yes:** 6 - Flood, Stuckel, Hollander, Mulvihill, Reed, and Engel

**Excused:** 1 - Lanshima

4. [O-204-18](#)

**AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-5 RESIDENTIAL SINGLE FAMILY ON PROPERTY LOCATED AT 6707 SHAFFER LANE CONTAINING 18.692 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1009).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-204-18 V.1 072618 Rezoning from R4 to R5 at 6707 Schaffer Ln](#)  
[18ZONE1009.pdf](#)  
[18ZONE1009.pdf](#)  
[18ZONE1009\\_INTERESTED PARTY COMMENT.pdf](#)  
[06 07 18 PC Exhibit Book #18ZONE1009.pdf](#)  
[18ZONE1009 FOF.pdf](#)  
[18ZONE1009\\_appl justification stmt.pdf](#)  
[18ZONE1009 Approved Plan\\_06.07.18.pdf](#)  
[18ZONE1009\\_LDT Min\\_04.26.18.pdf](#)  
[18ZONE1009\\_legal desc.pdf](#)  
[18ZONE1009\\_PC Min\\_06.07.18.pdf](#)  
[18ZONE1009\\_staff rpts.pdf](#)

**A motion was made by Vice Chair Stuckel, seconded by Committee Member Reed, that this Ordinance be recommended for approval.**

**Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Committee Member Engel also spoke to the item.**

**The motion carried by the following vote and the Ordinance was sent to Old Business:**

**Yes:** 6 - Flood, Stuckel, Hollander, Mulvihill, Reed, and Engel

**Excused:** 1 - Lanshima

5. [O-205-18](#)

**AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 400 BULLITT LANE CONTAINING 4.85 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1048).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [17ZONE1048.pdf](#)

[O-205-18 V.1 072618 Rezoning from R4 to C2 at 400 Bullitt Ln.](#)

[17ZONE1048.pdf](#)

[17ZONE1048\\_appl justification stmt.pdf](#)

[17ZONE1048\\_ApprovedPlan\\_06.07.18.pdf](#)

[17ZONE1048\\_FOF.pdf](#)

[17ZONE1048\\_LDT Min\\_04.26.18.pdf](#)

[17ZONE1048\\_legal desc.pdf](#)

[17ZONE1048\\_news article.pdf](#)

[17ZONE1048\\_PC Min\\_06.07.18.pdf](#)

[17ZONE1048\\_staff rpts.pdf](#)

[17ZONE1048\\_appl booklet.pdf](#)

**A motion was made by Committee Member Reed, seconded by Committee Member Engel, that this Ordinance be recommended for approval.**

**Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Chair Person Flood read a statement on behalf of Council Member Marilyn Parker in favor of the zoning change.**

**The motion carried by the following vote and the Ordinance was sent to Old Business:**

**Yes:** 6 - Flood, Stuckel, Hollander, Mulvihill, Reed, and Engel

**Excused:** 1 - Lanshima

6. [O-230-18](#)

**AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 5244 DIXIE HIGHWAY CONTAINING 7.75 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1010).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-230-18 V.1 080918 PROPOSED FAM Rezoning from C1 to C2 at 5244 Dixie Hwy 18ZONE1010.pdf](#)  
[O-230-18 V.1 072618 Rezoning from C1 to C2 at 5244 Dixie Hwy 18ZONE1010.pdf](#)  
[18zone1010.pdf](#)  
[18ZONE1010 PC Minutes 2.pdf](#)  
[18ZONE1010 Other Minutes.pdf](#)  
[18ZONE1010 Staff Reports.pdf](#)  
[18ZONE1010 Legal Description.pdf](#)  
[18ZONE1010 Applicant Booklets.pdf](#)  
[18ZONE1010 Applicant Justification.pdf](#)  
[18ZONE1010 Finding of Facts.pdf](#)  
[18ZONE1010 Proposed Plan.pdf](#)

**A motion was made by Committee Member Reed, seconded by Committee Member Engel, that this Ordinance be recommended for approval.**

**Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Chair Person Flood stated Council Member Rick Blackwell wanted this passed by the committee to the full Council where he may propose an amendment to the Ordinance.**

**The motion carried by the following vote and the Ordinance was sent to Old Business:**

**Yes:** 6 - Flood, Stuckel, Hollander, Mulvihill, Reed, and Engel

**Excused:** 1 - Lanshima

7. [O-233-18](#)

**AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-5 RESIDENTIAL SINGLE FAMILY ON PROPERTY LOCATED AT 7905 SMYRNA PARKWAY CONTAINING 10.907 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1012).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [18zone1012.pdf](#)

[O-233-18 V.1 072618 Rezoning from R4 to R5 at 7905 Smyrna Pkwy.](#)

[18ZONE1012.pdf](#)

[18ZONE1012 Staff Reports.pdf](#)

[18ZONE1012 Applicant Justification.pdf](#)

[18ZONE1012 Legal Description.pdf](#)

[18ZONE1012 Other Minutes.pdf](#)

[18ZONE1012 PC Minutes.pdf](#)

[18ZONE1012 Plan.pdf](#)

**A motion was made by Vice Chair Stuckel, seconded by Committee Member Reed, that this Ordinance be recommended for approval.**

**Brian Davis, Planning and Design Services, spoke to the item and gave a presentation.**

**The motion carried by the following vote and the Ordinance was sent to Old Business:**

**Yes:** 6 - Flood, Stuckel, Hollander, Mulvihill, Reed, and Engel

**Excused:** 1 - Lanshima



8. [O-228-18](#)

**AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 7500 BARDSTOWN ROAD CONTAINING 6.475 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1060).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-237-18 PROPOSED CAM Deny Zoning Change at 7500 Bardstown Road \(7-30-18\).pdf](#)  
[17ZONE1060.pdf](#)  
[O-228-18 V.1 072618 Approve Rezoning from R4 to C2 at 7500 Bardstown Rd 17ZONE1060.pdf](#)  
[17ZONE1060 PC Minutes.pdf](#)  
[17ZONE1060 Other Minutes.pdf](#)  
[17ZONE1060 Staff Reports.pdf](#)  
[17ZONE1060 Legal Description.pdf](#)  
[17ZONE1060 Applicant Booklet 1.pdf](#)  
[17ZONE1060 Applicant Booklet 2.pdf](#)  
[17ZONE1060 Justification Statement.pdf](#)  
[17ZONE1060 Public Materials.pdf](#)  
[17ZONE1060 Proposed Plan.pdf](#)

**Chair Person Flood stated she was withdrawing her sponsorship of this Ordinance and it therefore died in committee due to the lack of a sponsor.**

9. [O-237-18](#)

**AN ORDINANCE DENYING THE CHANGE IN ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 7500 BARDSTOWN ROAD CONTAINING 6.475 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1060)(AS AMENDED).**

**Sponsors:** Primary Madonna Flood (D-24)

**Attachments:** [O-237-18 V.2 CAM 073118 Deny Rezoning from R4 to C2 at 7500 Bardstown Rd 17ZONE1060.pdf](#)  
[O-237-18 PROPOSED CAM Deny Zoning Change at 7500 Bardstown Road \(7-30-18\).pdf](#)  
[17ZONE1060.pdf](#)  
[O-237-18 V.1 072618 Deny Rezoning from R4 to C2 at 7500 Bardstown Rd 17ZONE1060.pdf](#)  
[17ZONE1060 Applicant Booklet 1.pdf](#)  
[17ZONE1060 Applicant Booklet 2.pdf](#)  
[17ZONE1060 Justification Statement.pdf](#)  
[17ZONE1060 Legal Description.pdf](#)  
[17ZONE1060 Other Minutes.pdf](#)  
[17ZONE1060 PC Minutes.pdf](#)  
[17ZONE1060 Proposed Plan.pdf](#)  
[17ZONE1060 Public Materials.pdf](#)  
[17ZONE1060 Staff Reports.pdf](#)

A motion was made by Committee Member Engel, seconded by Committee Member Reed, that this Ordinance be recommended for approval.

Brian Davis, Planning and Design Services, spoke to the item and gave a presentation. Committee Member Engel and Paul Whitty, Jefferson County Attorney's Office, also spoke to the item.

A motion was made by Committee Member Engel, seconded by Committee Member Hollander, that this Ordinance be amended as shown in the attached document titled 'O-237-18 PROPOSED CAM Deny Zoning Change at 7500 Bardstown Road (7-30-18).pdf'. The motion to amend carried by a voice vote.

The motion to recommend for approval carried by the following vote and the Ordinance was sent to Old Business:

**Yes:** 6 - Flood, Stuckel, Hollander, Mulvihill, Reed, and Engel

**Excused:** 1 - Lanshima

10. [R-136-18](#)

**A RESOLUTION OVERTURNING THE DECISION OF THE LANDMARKS COMMISSION DESIGNATING THE PROPERTY LOCATED AT 3700 DUTCHMANS LANE IN LOUISVILLE METRO AS A LOCAL LANDMARK (CASE NO. 17DESGNATION1002)**

**Sponsors:** Primary Barbara Sexton Smith (D-4)

**Attachments:** [R-136-18 PROPOSED FABS 080918 Resolution to Overturn Landmarks Designation at 3700 Dutchmans Lane\(amend by sub\) \(8-8-18\).pdf](#)  
[17DESGNATION1002.pdf](#)  
[R-136-18 V.1 072618 Overturn Landmark Designation at 3700 Dutchmans Ln 17DESGNATION1002.pdf](#)

A motion was made by Committee Member Engel, seconded by Committee Member Hollander, that this Resolution be recommended for approval.

Cynthia Elmore, Develop Louisville, spoke to the item and gave a presentation. Council Member Sexton Smith and Paul Whitty, Jefferson County Attorney's Office, also spoke to the item. The Clerk read the findings of fact into the record per the request of Council Member Sexton Smith and Chair Person Flood.

Chair Person Flood requested there be a roll call vote taken instead of a voice vote. The motion carried by the following vote and the Resolution was sent to the Consent Calendar:

**Yes:** 6 - Flood, Stuckel, Hollander, Mulvihill, Reed, and Engel

**Excused:** 1 - Lanshima

11. [R-129-18](#)

**A RESOLUTION REQUESTING THE LOUISVILLE/JEFFERSON COUNTY PLANNING COMMISSION TO ADOPT A REGULATION PROVIDING FOR APPEALS TO THE METRO COUNCIL IN SUBDIVISION CASES.**

**Sponsors:** Primary Julie Denton (R-19)

**Attachments:** [R-129-18 V.1 072618 Appeals to MC Subdivision Cases .pdf](#)  
[Resolution--Adopting Regulation-Subdivision Case Appeals.docx](#)

This item was held in committee.

12. [R-130-18](#)

**A RESOLUTION REQUESTING THE LOUISVILLE/JEFERSON COUNTY PLANNING COMMISSION TO REVIEW THE LAND DEVELOPMENT CODE REGULATIONS WITH REGARD TO THE PRESERVATION OF TREES AND TO INCREASE THE PERIMETER TREE PRESERVATION REQUIREMENTS.**

**Sponsors:** Primary Julie Denton (R-19)

**Attachments:** [R-130-18 V.1 072618 - LDC Increase Tree Preservation Requirements .pdf](#)  
[Resolution to Review LDC Regarding Perimeter Tree Preservation Requireme....docx](#)

This item was held in committee.

## Adjournment

Without objection, Chair Person Flood adjourned the meeting at 2:42 p.m.

**\*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on August 9, 2018.**